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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA
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12 PATRICK BROWN,

13 Plaintiff,

14 v.

15 DOES 1-20,

16 Defendants.

17 CASE NO. 3:25-cv-05256-LK

18 ORDER DISMISSING
19 COMPLAINT

20 This matter comes before the Court sua sponte. On May 19, 2024, this Court denied
21 Plaintiff Patrick Brown's motion for early discovery to determine the identities of the unknown
22 defendants in this case, which he alleged were infringing on his copyrighted works. Dkt. No. 12.
23 Among other problems with the motion, the Court could not determine whether Mr. Brown had
24 standing because his purported copyright registrations were nowhere to be found in the online
federal copyright registry. *Id.* at 4–5. The Court accordingly denied his motion “without prejudice
to renewing [it] after the . . . deficiencies are addressed by way of an amended complaint.” *Id.* at
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1 On June 6, 2025, Mr. Brown filed an amended complaint purportedly “in accordance with
 2 the Court’s May 19, 2025 Order[.]” Dkt. No. 13 at 1. The amended complaint provides
 3 “clarification of copyright registration ownership,” including screenshots of Copyright Office
 4 website searches for Mr. Brown’s alleged copyrighted works. *Id.* at 2 (capitalization removed), 4–
 5 8. Mr. Brown attached 20 certificates of registration for his alleged copyrighted works to the
 6 amended complaint, although he avers that he “remains the registered owner of all 376 works at
 7 issue in this case,” and apparently continues to advance infringement claims based on all 376
 8 works. *Id.* at 2. Mr. Brown also renewed his motion for early discovery. Dkt. No. 14.

9 A federal court has an independent duty, at any level of the proceedings, to determine
 10 whether it properly has subject matter jurisdiction over a case. *Ruhgras AG v. Marathon Oil Co.*,
 11 526 U.S. 574, 583 (1999) (“[S]ubject-matter delineations must be policed by the courts on their
 12 own initiative even at the highest level.”); *see also* Fed. R. Civ. P. 12(h)(3) (authorizing sua sponte
 13 dismissal for lack of subject matter jurisdiction); *Valdez v. Allstate Ins. Co.*, 372 F.3d 1115, 1116
 14 (9th Cir. 2004) (federal court is obligated to determine sua sponte whether it has subject matter
 15 jurisdiction). Here, the Court continues to find that Mr. Brown has failed to establish standing.

16 Mr. Brown alleges that his own “attempts to search the Copyright Office’s website
 17 occasionally returned ‘No results found,’” but “upon repeated queries, the [relevant] record
 18 appeared[.]” Dkt. No. 13 at 2. In the Court’s experience searching for copyrights on the Copyright
 19 Office’s website—including the alleged copyrights in this case—the website does not work that
 20 way. That is, searches are not intermittently successful; instead, a search result is always
 21 consistent. And despite repeated searches on publicrecords.copyright.gov¹ for all 20 registration
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23 ¹ The public database contains “[r]egistration and recordation records from 1978 to the present.” U.S. Copyright
 24 Office, *What Will I Find in the Copyright Public Records System?*, <https://publicrecords.copyright.gov/> (last visited August 18, 2025).

certificates which Mr. Brown attached to his amended complaint, the Court has been unable to locate any of his claimed copyrights. For instance, and despite multiple attempts and varied search terms, the Court's searches for registration number PA0001707340 consistently return no results:

The screenshot shows the 'Advanced Search' interface of the Copyright Public Records System. At the top, there are links for Home, Recent Records, Recent Searches, Name Directory, and Help. Below that, the search path is Home / Advanced Search / Search results. The main section is titled 'Advanced Search' and asks to 'Select record type to begin advanced search'. There are three checkboxes: 'All records' (checked), 'Registration', and 'Recordation'. Below this are two dropdown menus: 'Field Heading' set to 'All Copyright Numbers' and 'Search Type' set to 'Is Exact'. To the right is a text input field containing 'PA0001707340'. Below these controls are buttons for '+ Add a row', 'Clear all', and 'Search'. The 'Search Results' section below states 'No search results were found'. It includes 'Search suggestions' with bullet points: 'Check the spelling of your search term.', 'Try fewer search terms.', 'Try removing any filters that have been applied.', and 'If you conducted an Advanced Search, check your Field Heading.' At the bottom, it says 'Need additional assistance?' followed by help links and a feedback email address.

Copyright Registration Search, https://publicrecords.copyright.gov/advanced-search?page_number=1&parent_query=%7B%22operator_type%22%3D%22AND%22%22column_name%22%3D%22all_copyright_numbers%22,%22type_of_query%22%3Dexact%22,%22query%22%3DPA0001707340%22%7D&records_per_page=10&sort_order=%22asc%22&model=%22%22 (last visited August 17, 2025).² Likewise, no records were found in repeated searches for each of the 20 publications for which Mr. Brown has submitted purported Certificates of Registration. See Dkt. No. 13-5 (purported Certificates of Registration for Copyright Registration Numbers PA0001707340, PA0001938123, PA0001938250, PA0001938626, PA0001939606, PA0001940332, PA0001941255, PA0001941992, PA0001942182, PA0001942610,

² "Courts routinely take judicial notice of documents from the Copyright Office." *Marcus v. ABC Signature Studios, Inc.*, 279 F. Supp. 3d 1056, 1063 (C.D. Cal. 2017); see also *Reyn's Pasta Bella, LLC v. Visa USA, Inc.*, 442 F.3d 741, 746 (9th Cir. 2006) ("We may take judicial notice of court filings and other matters of public record.").

1 PA0001943052, PA0001944145, PA0001945366, PA0001945446, PA0001945586,
 2 PA0001945721, PA0001946034, PA0001947880, PA0001948763, and PA0001948788). In sum,
 3 while a valid certificate of registration creates a presumption of copyright ownership,
 4 *Entertainment Research Group, Inc. v. Genesis Creative Group, Inc.*, 122 F.3d 1211, 1217 (9th
 5 Cir. 1997), here the Court is unable to ascertain whether the registration certificates which Mr.
 6 Brown submitted are, in fact, valid.

7 The Court therefore lacks subject matter jurisdiction over this case. *See, Warren v. Fox*
 8 *Fam. Worldwide, Inc.*, 328 F.3d 1136, 1138 (9th Cir. 2003) (“Warren has no standing to sue for
 9 infringement because he is neither the legal nor beneficial owner of the copyrights in question”);
 10 *King Pharms. v. Eon Labs.*, 616 F.3d 1267, 1282–83 (Fed. Cir. 2010) (where a party retains no
 11 rights to sue, there exists no case or controversy). Because Mr. Brown has failed to establish
 12 standing, the Court DISMISSES his complaint but grants him one final opportunity to amend to
 13 concretely demonstrate that he holds the copyright for each of the relevant works.³ The amended
 14 complaint must be filed within 21 days of the date of this Order. The Court also DENIES Mr.
 15 Brown’s renewed motion for early discovery without prejudice as moot. Dkt. No. 14.

16 Dated this 18th day of August, 2025.

17 

18 Lauren King
 19 United States District Judge
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23 ³ If Mr. Brown seeks to protect “all 376 works at issue in this case,” *id.*, it is not sufficient to provide proof that he is
 24 the “legal or beneficial owner” for only a subset of them, 17 U.S.C. § 501(b). *Voss v. Knotts*, No. 11-CV-0842-H
 (WMC), 2012 WL 12846092, at *3 (S.D. Cal. May 29, 2012) (“A plaintiff alleging copyright infringement must have
 an ownership interest in the subject copyrights, in order to have standing to bring the claim.”); *Topolos v. Caldewey*,
 698 F.2d 991, 994 (9th Cir. 1983) (“Ownership of the copyright is always a threshold question.”).